IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

CIVIL APPLICATION NO.1268 OF 2007
IN
SECOND APPEAL NO.481 OF 2002

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

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Mr.Tanaji Mhatagude i/b Mr.Sugandh Deshmukh for the Applicant

CORAM: A.S.OKA, J.
DATE : NOVEMBER 19,2007.

P.C.:

1. Heard Advocate for the Applicants. He states that private notice has been duly to the Respondents and Affidavit of service has been filed. Statement is accepted.

2. The Applicants are the Appellants in the Second Appeal. The Appellants are the original plaintiffs. A suit for partition and separate possession filed by the Applicants has been dismissed by the trial court and the decree has been confirmed by the first Appellate Court.

3. There are no averments made in the Application that the temporary injunction which is prayed for in this Application was operating during the pendency of the suit or the Appeal in the District Court. In any event, after having failed in both the courts below, the Applicants are not entitled to order of temporary injunction. Since the Second Appeal is pending in this court, it is obvious that all further transactions which may be made by the Respondents in respect of the suit property will be subject to final outcome of the Second Appeal.

4. Subject to what is observed above, Civil Application is rejected.

JUDGE